

REMARKS

Applicant has amended the claims to more accurately define applicant's invention.

More specifically, applicant has amended the claims to demonstrate that the applicant's apparatus is for use with tractor implements and attachments. In addition, applicant has further defined the invention to make it clear that an operator of a tractor can view the operation of the tractor implement or attachment through an opening in the hydraulic fluid reservoir. This opening, in addition to providing a means of viewing the operation of the implement or attachment, also provides additional cooling of the hydraulic fluid.

The Examiner has cited U.S. Patent No. 5,653,206 to Spurgin against the present claims. Spurgin relates to an oil cooler for a motorcycle. Motorcycles have air cooled engines. The oil that is the subject of the Spurgin device is lubricating oil that passes through the motorcycle engine and lubricates the engine components. The oil in Spurgin's motorcycle does not transmit power to any device that the motorcycle is running.

When the motorcycle is moving, cooling of the engine is provided by fins on the engine's cylinder block. The motion of the motorcycle causes convection heat transfer to carry away the heat. There is a cooling problem when the motorcycle is stationary and the engine is running particularly when the outside temperature and relative humidity are high. As the temperature of the engine rises, Spurgin claims the oil pressure decreases and, as a result, the motorcycle engine must be shut off because of insufficient cooling to maintain the oil pressure.

Spurgin seeks to solve the problem of low oil pressure caused by high motorcycle engine temperatures when the motorcycle is not in motion at a normal operating speed. Spurgin seeks to avoid low oil pressure when the motorcycle is operating at low speeds, for example in

traffic, or when the motorcycle is not moving. In the prior art noted by Spurgin the solution was oil cooling devices in proximity to the engine. Spurgin seeks to avoid oil cooling in proximity to the engine by the use of an engine guard that is secured to the motorcycle. The engine guard is also present to protect either side of the engine should the motorcycle fall on its side. Also, the engine guard of Spurgin provides protection for the rider's legs.

The present invention relates to tractors and the hydraulic systems used by tractors to operate implements connected to the tractor. The present invention does not relate to lubricating oils used by motorcycles, automobiles and other internal combustion engines to lubricate the engine. The hydraulic fluid used to operate a tractor implement or attachment is of the present invention is used to transmit power. Hydraulic oil is not engine oil. Hydraulic oil is formulated to withstand a wide variety of temperatures and has additives that control the oil's reaction to rubber seals and plastic parts. In a tractor the hydraulic fluid is typically contained in the transmission casing.

The motorcycle engine of Spurgin uses oil to lubricate the engine and cool the engine. The hydraulic fluid of the device of the present invention is used to transmit energy by the impact of moving fluid against an object. The hydraulic fluid of the present invention transmits force or motion through a fluid that is confined. Hydraulic fluids operate under the principle that pressure in a confined liquid is transmitted undiminished in every direction and acts with equal force on equal areas and acts at right angles to the container walls.

Claim 1 is not taught or suggested by Spurgin because Spurgin does not teach or suggest a hydraulic system for powering a tractor implement. Spurgin also does not teach or suggest a reservoir that has an open area in the reservoir for viewing the operation of an

implement connected to the hydraulic system.

Claim 4 is also not taught or suggested by Spurgin for the additional reason that there is no teaching or suggestion in Spurgin of a baffle in a hydraulic system that directs hydraulic fluid to an implement where the fluid provides the power for the implement.

Claims 5 and 34 are also patentable for many of the same reasons as claim 1. Claim 16 which depends upon claim 4 is further patentable over claim 4 and 1 because it provides that there is a center bar extending from one member to a second member that provides additional capacity for hydraulic fluid.

Claim 35 is also patentable for many of the same reasons as claim 16. Spurgin does not teach or suggest the features of claim 36 that the center wall extends from one side wall to a second side wall and separates the reservoir into two open portions. Claim 37 is also patentable over Spurgin because this claim further provides for one or more pipe nipples for releasing pressure. Spurgin's system is not pressurized to the same degree as a hydraulic system must be.

Claims 38 to 43 are not taught or suggested by Spurgin. Spurgin does not teach or suggest a system that can be attached to a tractor or a tractor's three point hitch. Claims 44 to 49 are also patentable over Spurgin. Spurgin does not teach or suggest the use of stabilizer link flanges or that these flanges are adjustable. Claims 50 to 55 are also patentable over Spurgin. Spurgin does not teach or suggest vibratory slow hinge flanges, locking pinholes or trencher mounts.

CONCLUSION

For the foregoing reasons applicants request reconsideration of the above identified application.

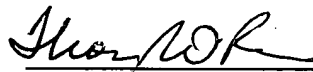
Respectfully submitted



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CERTIFICATE OF MAILING

I hereby certify that the foregoing documents were mailed by first class mail, postage prepaid, in an envelope addressed to the Hon. Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 , this 17th day of October, 2005.


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